

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DIANNE H. KING,)	
)	
Plaintiff,)	Civil Action No. 18-233
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Robert C. Mitchell
KRG KINGS, LLC,)	
)	
Defendant/Third-Party Plaintiff,)	
)	
v.)	
)	
WEIRTON MEDICAL CENTER INC.,)	
<i>et al.</i> ,)	
)	
Third-Party Defendants.)	

MEMORANDUM ORDER

This case has been referred to Magistrate Judge Robert C. Mitchell for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On September 13, 2018, the Magistrate Judge issued a Report (Doc. 72) recommending that KRG King's Motion (Doc. 64) to Dismiss Al.Neyer's Counterclaim against it be granted. Service of the Report and Recommendation ("R&R") was made on the parties, and Al.Neyer has filed Objections. *See* Doc. 77.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

KRG King's Motion (**Doc. 64**) to Dismiss is **GRANTED**; Al.Neyer's Counterclaim against KRG King is **DISMISSED**; and the Magistrate Judge's R&R (Doc. 72) hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

October 12, 2018

s\Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All Counsel of Record